

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF
UNITED STATES OF AMERICA

DEFENDANT
WILEY THOMAS, JR.

COURT CASE NUMBER
Misc. No. 2:07mc3382-MHT

TYPE OF PROCESS
Application, Affidavit, Writ of Garnishment

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ING, USA, ANNUITY and LIFE INSURANCE COMPANY

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
5780 Powers Ferry Road, Atlanta, GA 30327

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

U. S. Attorney's Office
ATTN: A. Gardner
P. O. Box 197
Montgomery, AL 36101

Number of process to be served with this Form 285 3

Number of parties to be served in this case 3

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

SSN: XXX-XX-3844
DOB: May 19, 1931
Employed part-time by Enterprise Rental Car, Eastern Bypass, Montg., AL

Signature of Attorney or Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER
(334) 223-7280

DATE

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin 2	District to Serve 19	Signature of Authorized USMS Deputy or Clerk H. Chauvet	Date 3/6/08
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

Mary Wetherington, Managing Paralegal

Address (complete only different than shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Date
3/12/08

Time
1:45 pm

Signature of U.S. Marshal or Deputy

Service Fee 45.00	Total Mileage Charges including endeavors 19.45	Forwarding Fee 8.00	Total Charges 72.45	Advance Deposits .	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS: 3/6/08 FWD to N/SA for service

25 m/RT

Served Legal office of IN G.

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

U.S. MARSHALS SERVICE
NORTHERN GEORGIA

UNITED STATES
MARSHALS SERVICE
MIDDLE ALABAMA

RECEIVED

2008 MAR -4 P 11:19

UNITED STATES OF AMERICA,

Plaintiff,

v.

ING, USA, ANNUITY and LIFE
INSURANCE COMPANY,

Garnishee,

WILEY THOMAS, JR.,

Defendant

MISC. NO. 2:07mc3382-MHT

APPLICATION FOR WRIT OF GARNISHMENT

TO: Honorable Debbie C. Hackett
Clerk, United States District Court
Middle District of Alabama
Montgomery, Alabama 36101

UNITED STATES
MARSHALS SERVICE
MIDDLE ALABAMA

2008 MAR -6 A 8:16

RECEIVED

Please issue writ of garnishment for the seizure from the garnishee, ING, USA, Annuity and Life Insurance Company, 5780 Powers Ferry Road, Atlanta, Georgia 30327, all property held in the possession of ING, USA, Annuity and Life Insurance Company, in the name of Wiley Thomas, Jr., to compel performance of the judgment entered November 13, 2007, in this cause.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

U.S. MARSHALS SERVICE
NORTHERN GEORGIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ING, USA, ANNUITY and LIFE)
INSURANCE COMPANY,)
)
Garnishee,)
)
WILEY THOMAS, JR.,)
)
Defendant)

MISC. NO. 2:07mc 3382-MHT

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, plaintiff, herein.
2. Judgment was entered on November 13, 2007, for plaintiff and against defendant, Wiley Thomas, Jr., for the sum of \$118,015.00, lump sum due immediately.
3. Defendant has made payments totaling \$1,600.00 on this judgment.
4. Defendant resides within the jurisdiction of this court at 26 Oldfield Drive, Montgomery, Alabama 36117.
5. The judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.
6. Demand was made on defendant on January 24, 2008, but defendant has failed and refused to satisfy said judgment in full.

7. The balance on the judgment as of February 28, 2008, is \$116,415.00.
8. Upon information and belief, Wiley Thomas, Jr., defendant, has funds on deposit with ING, USA, Annuity and Life Insurance Company, Atlanta, Georgia, garnishee.

LEURA G. CANARY
United States Attorney

By: 

R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

Sworn to and subscribed before

me this 3rd day of March, 2008.


NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED
08 MAR 10 PM
U.S. MARSHALS SERVICE
NORTHERN GEORGIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ING, USA, ANNUITY and LIFE)
INSURANCE COMPANY,)
)
Garnishee,)
)
WILEY THOMAS, JR.,)
)
Defendant)

MISC. NO. 2:07mc 3382-MHT

WRIT OF GARNISHMENT

TO THE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA:

Judgment having been entered in the above cause on November 13, 2007, in the sum of \$118,015.00, in favor of plaintiff, United States of America, and against the defendant, Wiley Thomas, Jr., said sum having not been paid, you are commanded to seize from the garnishee, ING, USA, Annuity and Life Insurance Company, any and all proceeds belonging to said defendant, Wiley Thomas, Jr., including but not limited to checking account funds, savings account funds, private reserve account funds, IRAs, CDs, and make return of this writ, and the execution thereof, according to law.

RECEIVED
2008 MAR -6 A 8:10
U.S. MARSHALS SERVICE
MIDDLE DISTRICT OF ALABAMA

IN WITNESS WHEREOF, I, Debbie C. Hackett, Clerk of said Court, have Set My Hand
this the 5th day of MARCH, 2008.

DEBBIE C. HACKETT, Clerk
United States District Court
For the Middle District of Alabama

BY: Challere Campbell
Deputy Clerk